

PENDING CLAIMS AS AMENDED

Please replace claim 9 as amended:

- 2 *Sub 9* 9. An apparatus for transmitting spread spectrum data, comprising:
- 4 a spread spectrum modulator; and
- 6 at least one upconverter having an output, coupled to the spread
- 8 spectrum modulator, the output of the upconverter having a carrier frequency
- changing in accordance with a predetermined pattern, wherein the spread
- spectrum modulator modulates the spread spectrum data in accordance with a
- code channel selection signal that is determined in accordance with a subset of
- bits of the spread spectrum data.